

124370

C-093

Parcel: 122
Project: 8018-1-16

DEED RECORD

CC-70-4714-b

STATE OF TEXAS AND
COUNTY OF DALLAS

VS.

IRWIN REAL ESTATE
COMPANY, ET AL.

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IN THE COUNTY COURT OF

DALLAS COUNTY AT LAW NO. 2,

DALLAS COUNTY, TEXAS

AGREED JUDGMENT

On this the 20th day of April, 1974, came on to be heard and considered the above numbered and entitled cause, wherein the State of Texas and County of Dallas are Plaintiffs and Irwin Real Estate Company, Landon J. Irwin, Robert J. Irwin, and Rose B. Doerr, each Individually and as Partner in Irwin Real Estate Company, City of Dallas, Texas, and Irving Independent School District are Defendants. Defendant, Rose B. Doe J., died intestate after this suit was instituted, and Defendants Landon J. Irwin and Robert J. Irwin are the only heirs. (Affidavit of Heirship filed Volume 74131, Page 2400, Dallas County Deed Records).

Whereupon in open Court came the Plaintiffs by and through the Criminal District Attorney for Dallas County, and came the Defendants, Irwin Real Estate Company, Landon J. Irwin, and Robert J. Irwin, by and through their attorney, and all parties announced ready for trial, and a jury having been waived, all matters of fact and law were submitted to the Court.

The parties in open Court announced that they had agreed upon a settlement of all matters and controversies involved in this suit upon the following basis:

1. This is a proceeding in eminent domain brought by Plaintiffs to acquire for Controlled Access highway purposes from Defendants a right of way in, upon and across the herein-after described tract of land.

2. The Award of Commissioners was filed June 22, 1970, and the Defendants filed Objections to said Award. The date of taking was July 20, 1970.

3. The amount of damages to which Defendants are entitled to be paid by virtue of the condemnation is TWO HUNDRED FIFTEEN AND 70/100 DOLLARS (\$215.70), which sum has already been paid by Plaintiffs and received by Defendants.

WHEREFORE, PREMISES CONSIDERED, in accordance with the agreement of the parties, the Court has determined that the settlement should be made the Judgment of the Court.

It is ORDERED, ADJUDGED AND DECREED that the Plaintiff, State of Texas, do have and recover of Defendants, Irwin Real Estate Company, Landon J. Irwin, and Robert J. Irwin, each Individually and as Partners in Irwin Real Estate Company, City of Dallas, Texas, and Irving Independent School District, a right of way in, upon and across the hereinafter described tract of land, together with title to any fixed improvements thereon, said tract of land being described as follows:

Situated in Block B/7169 in the City of Dallas, Dallas County, Texas.

BEING 0.033 of an acre of land, more or less, out of Lots 8 and 9 of Block B/7169 in Joe A. Irwin Addition No. 5, an addition to the City of Dallas, Texas, according to the Map thereof recorded in Volume 11, page 13, Map Records of Dallas County; said Lots 8 and 9 having been conveyed to Irwin Real Estate Company by Deed recorded in Volume 3955, page 341, Deed Records of said County, said 0.033 of an acre of land being more particularly described as follows:

BEGINNING at the West corner of said Lot 9 in the Northeast line of Pueblo Street, said West corner being 100.37 feet North 73 deg. 01' 19" West from the South corner of said lot;

THENCE North 09 deg. 54' 53" East along the Northwest line of Lot 9 and 8, same being the Southeast line of Dallas Power & Light Company Easement described in Volume 2027, page 294, for a distance of 80.42 feet;

THENCE South 12 deg. 53' 19" East for a distance of 92.04 feet to the Northeast line of Pueblo Street;

THENCE North 73 deg. 01' 19" West along said Northeast line of Pueblo Street for a distance of 35.94 feet to the place of beginning.

Save and except, there is excluded from said estate, all the oil, gas and sulphur which can be removed from beneath said land, without any right whatsoever remaining to the owners of said oil, gas and sulphur of ingress and egress to or from the surface of said land for the purpose of exploring, drilling, mining, and developing the same. Plaintiff, in the exercise of the police power for the preservation of human life and safety, and under existing laws, has designated said highways as a Controlled Access Highway, to which no access from Defendants' remaining land, from which the herein condemned land is severed, will be permitted.

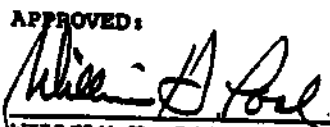
It is further ORDERED, ADJUDGED AND DECREED that the Defendants, Irwin Real Estate Company, Landon J. Irwin, Robert J. Irwin, City of Dallas, and Irving Independent School District, have judgment against the Plaintiffs, State of Texas and County of Dallas, for the sum of TWO HUNDRED FIFTEEN AND 70/100 DOLLARS (\$215.70) as full compensation for this condemnation which sum has already been paid by Plaintiffs to the Defendants.

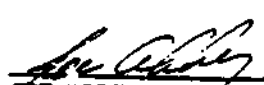
It is further ORDERED, ADJUDGED AND DECREED that the Plaintiffs, State of Texas and County of Dallas, pay all costs herein, which costs shall be paid to the County Clerk of Dallas County, Texas.

SIGNED AND ENTERED this 20th day of June, 1974.


JUDGE TOM KING

APPROVED:


WILLIAM H. POOL
Assistant District Attorney
Attorney for Plaintiffs


JOE ABBEY, Attorney for Defendants,
Irwin Real Estate Company, Landon J. Irwin
and Robert J. Irwin

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THE STATE OF TEXAS, } I. TOM E. ELLIS Clerk of the County Court of Dallas County at Law
County of Dallas

N. 2 Dallas County, Texas, do hereby certify that the foregoing is a true and correct copy of
AGREED JUDGMENT, in cause NO. cc-70-4714-b, State Of Texas and County Of
Dallas VS. Irwin Real Estate Company, Et Al. Entered in Volume 38,
Pages 0875-0877, Minutes County Court At Law NO. 2, Dallas County, Texas
in the above styled and numbered cause, as the same now appears on file in my office. Witness my hand

and seal of said Court this 9th day of December A. D. 1974.

TOM E. ELLIS County Clerk.

By Carolyn Graves Deputy

Carolyn Graves

Return to:

John G. Kaller, Dist. Engr.
Texas Highway Dept.
P. O. Box 3067
Dallas, Texas 75221

FILED
JAN 10 1975
COUNTY CLERK
DALLAS COUNTY

1975 JAN 10 AM 11 21

STATE OF TEXAS COUNTY OF DALLAS
I hereby certify that the foregoing was
read at the date and time stamped herein
by me and was duly recorded in the volume
and page of the same records of Dallas
County, Texas as stamped herein by me.

JAN 10 1975

 Tom E. Ellis
COUNTY CLERK, Dallas County, Texas

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